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ORISSA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR-751012

NOTIFICATION

Dated, the 19th October, 2009

No.OERC-Engg-92/2003(Vol.VI)(Part) – The Commission vide its notification dated 11.09.2007 (Published in the Orissa Gazette dt.31.10.2007) had introduced a new category of consumer namely ‘Agro-Industrial Consumers’ by way of amendment to Regulation [80(5)] of the OERC Distribution (Conditions of Supply) Code, 2004. The said Regulation reads as “This category relates to supply of power for pisciculture, horticulture, floriculture, sericulture and other allied agricultural activities including animal husbandry, poultry & cold storage (i.e. a temperature controlled storage where flowers, fruits, vegetables, meat, fish and food, etc. can be kept fresh or frozen until it is needed)”. It is observed that due to various interpretations of the aforesaid amendment, lots of confusion has arisen among certain consumers and the DISCOMs. During the tariff hearing for FY 2009-10, some objectors/consumers engaged in the prawn processing, ice factory, chilling plants for milk & other agricultural products pleaded to include them in the category of Agro-Industrial Consumers. The DISCOMs also requested the Commission to issue clarifications on the scope & extent of Agro-Industrial Consumer category. The Commission vide its Retail Supply Tariff order dated 20.03.2009 (Case no 66, 67, 68 & 69 of 2008) at Para 252 to 258 has clarified the matter and has observed in Para 255 of the said order that matter would be further clarified in the Regulations. Besides, at Para 250 & 251 of the said order the Commission has directed to include Community Water Works under the category of Public Water Works.

The Hon’ble High Court of Orissa in its Order dtd. 26.08.2009 passed in WP(C) No. 6516/2009 (M/s Prithwiraj Dairy Products V/s. State of Orissa and Others while setting aside Para 255 and 258 of Commission’s Retail Supply Tariff Order for FY 2009-10 has directed the Commission to consider the feasibility of creating an additional tariff-category for Agro-based Industries applicable to non-agriculturist consumers and fix appropriate tariff for this category which seems to be the real intention of the Regulation 80(5) of the OERC Distribution (Condition of Supply) Code 2004.

Further, in the meantime the Commission in their order dated 04.08.2009 in Case No. 60/

2009 have decided that in case of user/consumer, connectivity at 33 kV may normally be allowed for a contract demand up to 15 MVA for dedicated line (tie-line) connecting to 33 KV bay of 132/33 KV S/S and up to 10 MVA in non-dedicated (non-tie) line. This calls for amendment in the Regulation 76 of the Code.

Accordingly, the Commission hereby notifies the following amendments of the OERC Distribution (Conditions of Supply) Code, 2004 for information of the general public :-

1. **Short title and commencement** – (i) These Regulations may be called the Orissa Electricity Regulatory Commission Distribution (Conditions of Supply) (5th Amendment) Code, 2009.

(ii) It shall come into force with effect from date of publication in the Official Gazette.

2. **Amendment to Regulation 80(5) of Chapter VIII-Classification of Consumer:**

The Regulation 80 (5) shall be substituted as below:—

80(5)(i) : Irrigation Pumping and Agriculture : This category relates to supply of power for pumping of water in lift irrigation, flow irrigation and for lifting of water from wells/bore-wells, dug-wells, nallahs, streams, rivulets, rivers, exclusively for agricultural purposes.

80 (5) (ii): Allied Agricultural Activities: This category relates to supply of power for Aquaculture (which includes Pisciculture/ Prawn culture), Horticulture, Floriculture, Sericulture, Animal Husbandry and Poultry. Activities such as ice factories, chilling plants, cold storages, cattle/poultry/fish feed units and food /agri products processing units are excluded.

80(5)(iii): Allied Agro-industrial Activities : This category relates to supply of power to “Cold Storages (i.e. a temperature controlled storage where flowers, fruits, vegetables, meat and fish can be kept fresh or frozen until it is needed) and includes chilling plant for milk and only the cold storages attached to processing units for meat, fish, prawns, flowers, fruits and vegetables”.

- a. **Amendment to Regulation 80(6) of Chapter VIII-Classification of Consumer:**

The Regulation 80(6) shall be substituted as below:—

80(6): Public Water Works and Sewerage Pumping Installation: This category relates to supply of power for public water supply and sewerage pumping installations owned and operated by the State Govt., Local Bodies or their agencies. This also includes supply of power for water supply under Swajala Dhara Scheme of Govt. of India or any other scheme set up/ managed by Village Committee catering to the village hamlets with about 100 households on the average and has a connected load of less than 10 KW.

3. **Amendment to Regulation 76(3) of Chapter VII- System of Supply:**

Regulation 76(3) shall be substituted as below:—

For Contract Demand of 1110 KVA and above but upto 15000 KVA for dedicated line

(tie-line) connecting to 33 KV bay of 132/33 KV S/S and upto 10000 KVA in non-dedicated (non-tie) line, supply shall be at 3 phases, 3 wires at 33000 volts.

The Connectivity of User (consumer) or Generator including CGP at 33 KV or at any higher voltage level should be decided mutually on techno-commercial analysis and system study.

4. **Amendment to Regulation 76(4) of Chapter VII- System of Supply:
Regulation 76(4) shall be substituted as below:—**

For Contract Demand of above 15000 KVA, supply shall be at 3 phases, 3 wires EHT.

Provided that licensee, at its discretion, may also supply at any other voltage depending on system availability or condition.

By order of the Commission

P. K. SWAIN

Secretary